

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION (DAYTON)**

TRENT P. FISHER ENTERPRISES, LLC, et al.,	:	Case No. 3:20-cv-00216
	:	
Plaintiffs,	:	Judge Thomas M. Rose
	:	Magistrate Judge Caroline H. Gentry
vs.	:	
	:	
SAS AUTOMATION, LLC, et al.,	:	
	:	
Defendants.	:	

ORDER

This matter is before the Court on Plaintiffs’ Unopposed Motion to File Supplemental/Corrected Third Amended Complaint (ECF No. 86.) For good cause shown, the Court GRANTS Plaintiffs’ Motion.

Plaintiffs shall file—within three days—a corrected Third Amended Complaint, which shall consist of the Third Amended Complaint (ECF No. 56) and the exhibits referenced therein. This filing will supersede the prior filing of the Third Amended Complaint (ECF No. 56). Defendants will then have fourteen days from the date Plaintiffs file a corrected Third Amended Complaint to file a responsive pleading pursuant to Federal Rule of Civil Procedure 15(a)(3).

In its March 31, 2021 Entry and Order (ECF No. 22), this Court dismissed several claims and requests for relief that were asserted in the original Complaint (ECF No. 1). This Order and the January 23, 2023 Opinion and Order (ECF No. 55) allow the filing of the Third Amended Complaint and the re-institution of Plaintiffs' requests for punitive

damages against Defendants Piab USA, Inc. and Piab AB under federal law and state law for alleged trade secret misappropriation (Counts 5 and 6 in the Third Amended Complaint). Plaintiffs have also realleged in the Third Amended Complaint the other claims that were dismissed in the March 31, 2021 Entry and Order (ECF No. 22) and the January 24, 2022 Order (ECF No. 28), solely for the purpose of protecting the record to preserve arguments for appeal. Accordingly, the following claims and requests for relief in the Third Amended Complaint will remain DISMISSED: the request for statutory copyright damages in Counts 1, 2, and 4 and the entire Count 8 for conversion.

IT IS SO ORDERED.

/s/ Caroline H. Gentry
Caroline H. Gentry
United States Magistrate Judge